

117TH CONGRESS  
2D SESSION

# H. R. 8104

To assess the semiconductor requirements of the Department of Defense in a conflict scenario, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 16, 2022

Mr. GALLAGHER (for himself, Ms. HOULAHAN, Ms. STEFANIK, and Ms. SLOTKIN) introduced the following bill; which was referred to the Committee on Armed Services

# A BILL

To assess the semiconductor requirements of the Department of Defense in a conflict scenario, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### 3 SECTION 1. SHORT TITLE.

4        This Act may be cited as the “Defense Semiconductor  
5 Stockpile Act”.

## 6 SEC. 2. STUDY AND PILOT PROGRAM ON SEMICONDUCTORS

## AND THE NATIONAL DEFENSE STOCKPILE.

**8 (a) STUDY REQUIRED.—**

1                             (A) conduct a study on the strategic mate-  
2                             rials required by the Department of Defense to  
3                             execute the operational plans of the Depart-  
4                             ment in a conflict with a strategic competitor  
5                             lasting not less than six months; and

6                             (B) submit to the congressional defense  
7                             committees a report on such study.

8                             (2) ELEMENTS.—The report required under  
9                             paragraph (1) shall include the following:

10                             (A) A description of the specific number  
11                             and type of semiconductors for key systems and  
12                             munitions, delineated by technical specifica-  
13                             tions, performance requirements, and end-use  
14                             applications, that the Department of Defense  
15                             requires to execute and sustain the operational  
16                             plans of the Department during a conflict with  
17                             a strategic competitor in the Indo-Pacific for  
18                             not less than six months.

19                             (B) A description of any supply chain  
20                             vulnerabilities or choke points, including from  
21                             sole sources of supply or geographic proximity  
22                             to strategic competitors, involving the critical  
23                             minerals and strategic raw materials (including  
24                             chemicals) required to produce the semiconduc-  
25                             tors described in subparagraph (A).

(C) A description of any supply chain vulnerabilities or choke points, including from sole sources, geographic proximity to strategic competitors, or legacy technology, involving the manufacturing equipment required for each step in the manufacturing process from the raw materials described in subparagraph (B) to the finished and operational semiconductor chip described in subparagraph (A), and an identification of potential secure sources of supply or manufacturing involving the United States, allied, or partner nations.

24 (E) A feasibility assessment and rec-  
25 ommendations for acquiring for the National

1           Defense Stockpile the semiconductors described  
2           in subparagraph (A), including the expected  
3           cost.

4           (F) A description of options to finance the  
5           cost of the recommendations described in sub-  
6           paragraph (D).

7           (3) DEFINITIONS.—In this subsection:

8           (A) STRATEGIC COMPETITOR.—The term  
9           “strategic competitor” means a country labeled  
10          as a strategic competitor in the document enti-  
11          tled “Summary of the 2018 National Defense  
12          Strategy of the United States of America:  
13          Sharpening the American Military’s Compe-  
14          titive Edge”, issued by the Department of De-  
15          fense pursuant to section 113 of title 10,  
16          United States Code.

17           (B) STRATEGIC MATERIALS.—The term  
18           “strategic materials” means—

19               (i) semiconductors described in para-  
20               graph (2)(A);

21               (ii) critical minerals and strategic raw  
22               materials described in paragraph (2)(B);  
23               and

24               (iii) manufacturing equipment de-  
25               scribed in paragraph (2)(C).

1                   (b) PILOT PROGRAM.—

2                   (1) ESTABLISHMENT.—Upon the submission of  
3                   the report under subsection (a), the Secretary of De-  
4                   fense shall carry out a pilot program under which  
5                   the Secretary shall acquire for the National Defense  
6                   Stockpile the highest priority minerals, materials, or  
7                   equipment identified in such report.

8                   (2) REPORT.—Not later than 1 year after the  
9                   establishment of the pilot program described in this  
10                  subsection, and annually thereafter until the date  
11                  described in paragraph (3), the Secretary of Defense  
12                  shall submit to the congressional defense committees  
13                  a report on the status and effects of the pilot pro-  
14                  gram.

15                  (3) TERMINATION.—The pilot program estab-  
16                  lished under this subsection shall terminate on Sep-  
17                  tember 30, 2028.

